

REMARKS

In response to the Office Action dated September 17, 2007, the Applicants respectfully request reconsideration based on the above claim amendments and on the following remarks. Applicants respectfully submit that the pending claims distinguish over the cited documents.

The undersigned wishes to thank the Examiner for the courtesy of a telephone interview on November 9, 2007. During the interview the undersigned noted that certain amendments would be made to the claims. The Examiner indicated that any substantive amendments to the claims would require an RCE for entry.

Claims 6 and 18-20 were rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. Claims 6 and 18 have been amended to address the items raised by the Examiner.

Claims 1, 3, 4, 5, 18 and 20 were rejected under 35 U.S.C. § 103 (a) as being obvious over U.S. Patent 6,654,546 to Levin, *et al.* in view of U.S. Patent 6,662,284 to Gold and further in view of U.S. Patent 6,925,566 to Feigen, *et al.* and U.S. Patent 6,170,012 to Coss *et al.* This rejection is traversed for the following reasons.

Claim 1 recites, *inter alia*, “the processor receiving the configuration information remotely over the first communications network, the configuration information including authorized storage for the set top box; the processor comparing the capacity of the disk drive to the authorized storage for the set top box and, when the capacity of the disk drive differs from the authorized storage for the set top box, detecting unauthorized modifications to the set top box.”

Levine teaches a system for remotely increasing capacity of a recorder. Feigen was relied upon for teaching remotely detecting system integrity using hash values. Feigen does not compare individual components, such as storage capacity. Feigen only teaches generating a hash value based on system elements and comparing the hash value to a stored hash value. Feigen can detect when some component has been altered, but cannot compare storage capacity in particular. Thus, Feigen does not teach the elements of claim 1. Gold was relied upon for detecting modifications to data capacity exceeding licensed capacity. Gold, however, is not related to remotely detecting capacity of any device. Gold performs the

detection in a single computer upon boot of the computer. There is no teaching in Gold of remotely accessing a device and detecting unauthorized storage capacity. Coss was relied upon for disclosing aspects of a firewall but also fails to teach remotely detecting storage capacity of a device as recited in claim 1. Thus, even if Levine, Feigen, Gold and Coss are combined, the elements of claim 1 do not result.

For at least the above reasons, claim 1 is patentable over Levine, Feigen, Gold and Coss. Claims 3-5 depend on claim 1 and are patentable over Levine, Feigen, Gold and Coss for at least the same reasons. Claim 18 recites features similar to those discussed above with reference to claim 1 and is patentable over Levine, Feigen, Gold and Coss for at least the same reasons. Claim 20 depends on claim 18 and is patentable over Levine, Feigen, Gold and Coss for at least the same reasons.

Claims 2 and 19 were rejected under 35 U.S.C. § 103 (a) as being obvious over U.S. Patent 6,654,546 to Levin, *et al.* in view of U.S. Patent 6,662,284 to Gold and further in view of U.S. Patent 6,925,566 to Feigen, *et al* and U.S. Patent 6,170,012 to Coss *et al* and Bruynsteen. This rejection is traversed for the following reasons.

Bruynsteen was relied upon for allegedly disclosing an operating instruction causing a processor to limit capacity of a disk drive. Bruynsteen, however, fails to cure the deficiencies of Levine, Feigen, Gold and Coss discussed above with reference to claims 1 and 18. Claim 2 depends from claim 1 and claim 19 depends from claim 18. Thus, even if Levine, Feigen, Gold, Coss and Bruynsteen are combined, the elements of claims 2 and 19 are not taught.

Claim 6 was rejected under 35 U.S.C. § 103 (a) as being obvious over U.S. Patent 6,654,546 to Levin, *et al.* in view of U.S. Patent 6,662,284 to Gold and further in view of U.S. Patent 6,925,566 to Feigen, *et al* and U.S. Patent 6,170,012 to Coss *et al* and Nissimov. This rejection is traversed for the following reasons.

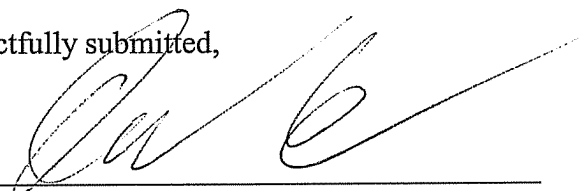
Nissimov was relied upon for allegedly disclosing a remote resource manager. Nissimov, however, fails to cure the deficiencies of Levine, Feigen, Gold and Coss discussed above with reference to claim 1. Claim 6 depends from claim 1. Thus, even if Levine, Feigen, Gold, Coss and Nissimov are combined, the elements of claim 6 are not taught.

In view of the foregoing remarks and amendments, Applicant submits that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130.

Respectfully submitted,

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